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S E C R E T SECTION 01 OF 03 TRIPOLI 000938

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STATE FOR NEA/FO AND NEA/MAG. STATE PLEASE PASS TO ENERGY (ANDREW BIENIAWSKI AND KELLY CUMMINS).

E.O. 12958: DECL: 11/25/2019

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SUBJECT: LIBYA HALTS HIGHLY ENRICHED URANIUM FUEL TRANSFER

REF: Tripoli 870

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CLASSIFIED BY: Gene A. Cretz, Ambassador, U.S. Embassy Tripoli,
Department of State.

REASON: 1.4 (b), (d)

1. (S/NF) Summary: Following a four-day standoff, the Russian plane scheduled to remove Libya's last remaining HEU spent fuel stores departed Libya without its cargo. Despite bilateral agreements with the U.S. and Russia -- and intensive outreach efforts by the U.S. and Russian Ambassadors -- Libyan officials unexpectedly refused to allow the HEU to leave the country. DOE experts are deeply concerned by the safety and security risks posed by the Libyans' decision. The seven five-ton casks, each closed with two IAEA seals, remain at the lightly-guarded Tajoura Nuclear Facility. DOE experts requested that the GOL disengage the loading crane and provide extra armed guards, but are not confident that the GOL will take the requisite security measures. The DOE experts will brief the IAEA of their concerns, and said the IAEA could provide additional seals appropriate for long-term storage and cameras.

2. (S/NF) Summary continued: According to the DOE experts, we have one month to resolve the situation before the safety and security concerns become a crisis. They believe Russia could provide another plane to remove the HEU in late December, at which point the casks must be moved to their next location. If the HEU is not removed from the casks within three months, its rising temperature could cause the casks to crack and to release radioactive nuclear material. If the HEU is not sent to Russia, the Russians would be required to develop entirely new technology to remove the spent fuel from the casks in Libya. Security concerns alone dictate that we must employ all of our resources to find a timely solution to this problem, and to keep any mention of it out of the press. End summary.

GOL UNEXPECTEDLY HALTS HEU FUEL SHIPMENT

3. (S/NF) On November 20 the GOL unexpectedly ordered a team of visiting Department of Energy and Russian (from Rostom Kirienko) officials to halt preparations of Libya's 5.2 kilograms of highly enriched uranium (HEU) fuel to ship to Russia for treatment and disposal, in spite of the government-to-government agreement signed by Libya and the United States on October 28 and a parallel agreement with the Russian government (reftel).
XXXXXXXXXXXX

XXXXXXXXXXXX The plane, a Russian Antonov 124-100, was scheduled to arrive on November 21, with loading to take place during the night of November 21, for shipment on November 22. Although the Russian crew already had official Libyan permission to land on November 21, XXXXXXXXXXXX told the DOE and Russian teams, via his staff, that the Libyan government did not approve the landing

and asked that the plane be delayed. The teams delayed arrival of the plane until November 23. After several days on the ground without a change in the GOL's position, the Russian plane and team from Rostom Kirienko departed early in the morning of November 25 without the shipment.

14. (S/NF) Since November 20, the Ambassador and emboffs have engaged Foreign Ministry officials, the National Security Advisor's (NSA) office, the PM's office, Saif al-Islam al-Qadhafi's staff, and Muammar al-Qadhafi's staff, seeking an explanation and reversal of the GOL's last-minute decision to halt the shipment. Foreign Ministry and NSA officials pledged to communicate the problems to Foreign Minister Musa Kusa and National Security Advisor, Mutassim al-Qadhafi, respectively. The Ambassador has also maintained close communication with the Russian Ambassador on the situation. One official insisted to the Ambassador that the Foreign Ministry had done everything "by the book" to prepare for the fuel transfer to move forward on November 21 and could not imagine what could have gone wrong.
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XXXXXXXXXXXXX he did not know what was holding up the program.

SECURITY CONCERNS

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15. (S/NF) On November 25, the DOE team briefed the Ambassador and emboffs on their concerns about the security of the HEU in its present state and next steps. The 5.2 kilograms of HEU are stored in seven five-ton casks, which the DOE experts said are "highly transportable." The casks currently are at the lightly-guarded Tajoura Nuclear Facility, closed with two IAEA seals that are adequate only for transportation, not storage. The team asked the Director of the Tajoura facility to disengage the site's loading crane, in order to prevent an intruder from using it to move the casks. They also asked that extra human security be added onsite, stating that the last time they were at Tajoura, on November 24, they only saw one security guard with a gun (although they did not know if it was loaded). The team plans to brief the IAEA about the situation and to express concern about the security of the fuel. They said it was possible that the IAEA would provide additional seals and/or cameras to increase the casks' security.

16. (S/NF) According to the DOE experts, we have approximately one month to resolve the situation, before the safety and security concerns posed by the delayed shipment reach the level of a crisis. The casks in which the Libyan HEU is stored must be moved to their next location at the end of December. The DOE experts believe that the Russians could provide another plane to transport that shipment during that timeframe. However, if the Libyans refuse to allow the shipment to go forward, the Russian experts would be required to design new technology to remove the spent fuel from the casks and put it back into the ponds at Tajoura. DOE experts stressed that this would be an unprecedented operation. They also stated that the spent fuel must be either shipped to Russia or removed from the casks in the next three months. At that point, the temperature of the HEU fuel, which is radioactive, could reach such a level to cause cracking on the casks and release of radioactive nuclear material. The team stated that their Russian counterparts are deeply concerned about liability if the radioactive material leaks from the transportation casks.

NEXT STEPS

17. (S/NF) If the Libyans can be persuaded to allow the transfer to proceed, the DOE team will work with Russian counterparts to schedule another visit by the Russian plane for transportation of the fuel, which the team estimated could take up to a month (that will require the reissuance of overflight and entry permits for Turkey, Greece, and Libya, as well as cancellation of other transport contracts that the plane already has scheduled). Absent Libya's agreement to allow the shipment to move forward, the DOE and Russian team will resort to designing and manufacturing the technology that would be necessary to unload the fuel casks remotely at the Tajoura facility.

COMMENT

18. (S/NF) Security concerns dictate that we must deploy all of our resources to find a solution to this problem. The Ambassador continues to seek an urgent meeting with the Libyan Foreign Minister and other senior officials to press for a resolution and to obtain information about what instigated the

Libyan decision to halt progress on the fuel shipment. The Russian Ambassador has also been trying to meet with any of several high-level officials, but has been ignored. The situation has been complicated by a state visit by the Turkish PM as well as other visits, and the onset of the Eid al-Adha holiday, which began here today and extends for four days. The Russians did manage to convey a letter from Vice FM Sultanov on November 24, urging the GOL to let the shipment take place. If further efforts fail over the next few days, it may be necessary to consider a senior-level official call to Muammar al-Qadhafi to stress the urgency of the situation and the high degree of concern about the possibility of Libya's backtracking on its nuclear nonproliferation commitments. Lacking any other information, we have to assume that the Libyan leader is the source of the problem at this point

19. (S/NF) Security concerns also dictate that we handle this issue with the utmost discretion. Given the highly transportable nature of the HEU and the shoddy security at

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Tajoura, any mention of this issue in the press could pose serious security concerns. We strongly urge that any press inquiries be addressed with a no comment -- or a more general reply along the lines of: The U.S. and the international community continue to work with the Government of Libya to address its WMD commitments. End comment.
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